



SDMS Document



67868

JUL 26 1985
Chojnowski
SCP

HOME OFFICE-RICHMOND, VIRGINIA

NEWARK BRANCH OFFICE

PHILIP S. NOCE, ESQ., BRANCH MANAGER

744 BROAD STREET

SUITE 1110

NEWARK, NEW JERSEY 07102

AREA CODE 201/623-8841

Lawyers Title Insurance Corporation

July 24, 1985

Kathleen J. Chojnowski
UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY
Region II
26 Federal Plaza
New York, NY 10278

RE: Our Title No. N-1504
Scientific Chemical Processing, Inc.
216 Paterson Plank Road
Carlstadt, NJ

Dear Ms. Chojnowski:

In accordance with your request, enclosed herein please find County Continuation Search on the above premises.

Please note that INMAR ASSOCIATES, INC. is the last record owner of the subject premises according to the deed recorded. The searcher has traced the title back from 1941 to date in the deed records as set forth in her abstract as presented.

The search has been limited only to the County deed records no other searches were ordered or performed by us. If you need anything further let me know. Our invoice is enclosed in the agreed amount.

Sincerely,

LAWYERS TITLE INSURANCE CORPORATION

PHILIP S. NOCE,
Branch Manager

PSN/amg
encl.

003496

INVOICE

- KATHLEEN CHOJNOWSKI
UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY
Region II
26 Federal Plaza
New York, NY 10278

DATE	
July 24, 1985	
ISSUING OFFICE	
NEWARK, NJ	
LOCATION NUMBER	ORDER NUMBER
01-2907-000	N-1504
CUSTOMER CODE	NCE

ORIGINAL

003495

Louis DeFendach Jr.
unmarried

Wtly.

Bk 2263-597

D 4-23-41

R 4-24-41

CB 1.00 over

to
Patrick Marrone ?
Filomena Boss

Consuep lats 4:5 m #1835.

Rec dB 1882-308.

Charles Schumacher
widower
to
Patrick Marone &
Palmina Lasso

W44
Bk 2628-158
D 4-27-46
R 4-27-46
C 8 1.00 over

Conner lat 6 m# 1835.
Rec db 1357.513, 2615-135.

Filomena Russo
aka Palmina Russo
aka Palmina MORRONE
Patrick (MARONE)
aka Patrick MARONE and
Anna " 4W
to
Patrick Marone?
Anna " 4W

Wfy
Bk 4345-239
D 3-15-62
R 3-30-62
CP 1.00 over

See as DP 6297-120.

Rec DP 2263-591 ? 2628-158.

TITLE REPORT

TITLE NO. N1504

PREMISES: Christstadt, Bergen Co NJ
211 Paterson Plank Rd
Lot 2 Bk 124 tm.

TITLE IN: Lamar Associates, Inc.
DB 6297-120.
Wsping DB 5018-495.

SUBJECT TO:

1. Setback Line /

2. Restrictions /

3. Easements, Rights Of Way, Utility Grants, Etc.

Easement DB 5908-192

4. Mortgages - Not men -

5. County Judgements, Liens, Etc.

6. Other Encumbrances and Defects

Order DB 6762-226

7. Tax Assessments and Trenton Searches

8. Survey

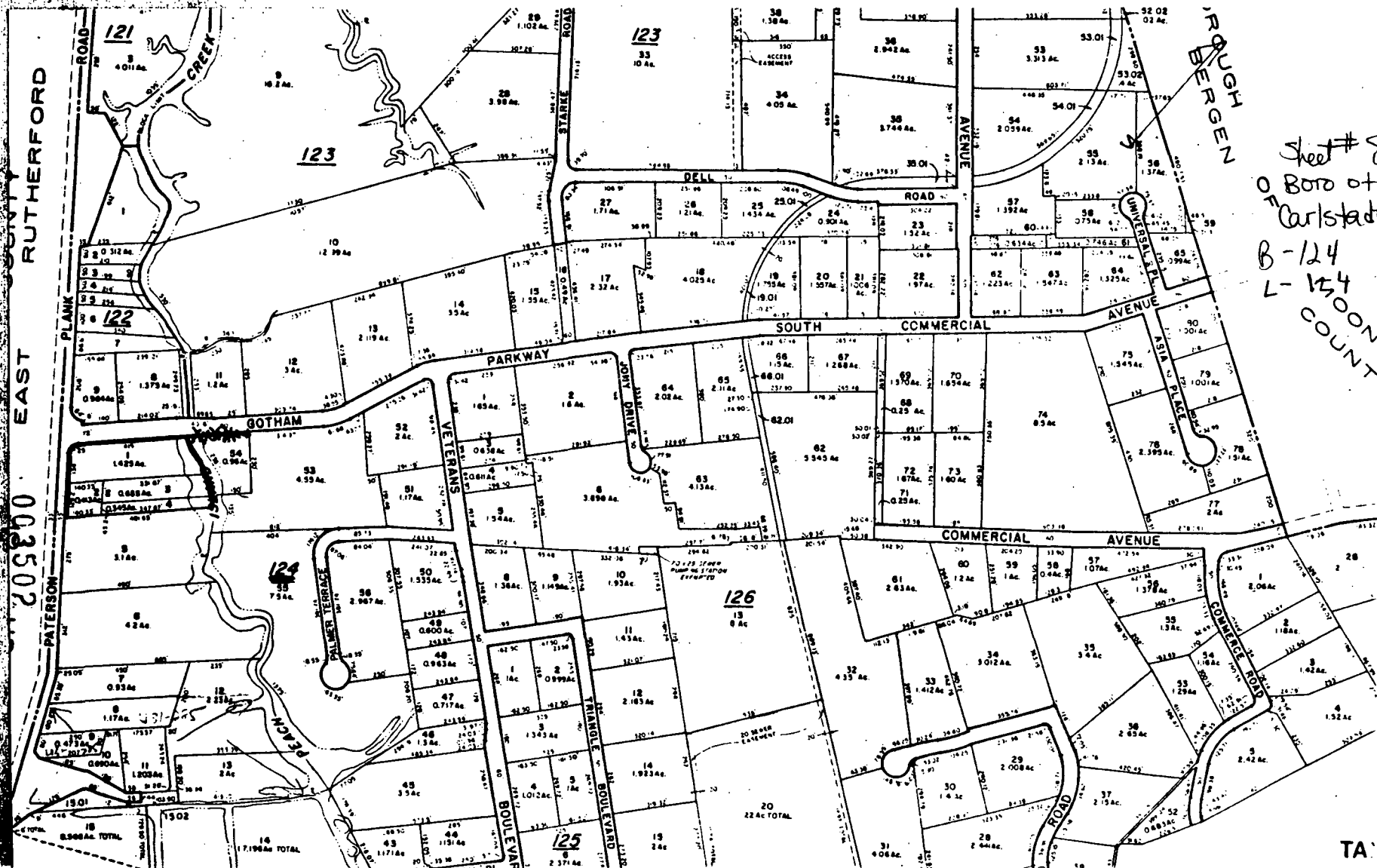
9. Prior Title Derived From run in deeds from 1941 to

10. 20Yr Judgements VS Purchasers date only

Certified To: 7-12-85

Searcher: Dolores DeLia

3501



Sheet # 5
 O Boro of
 Carlstadt
 B-124
 L-124
 COUNT

003503

~~Gerard F. ITENSON - PLANK - No. 10~~

23.0	25.0
------	------

12



1

64

2

•

•

1

144° 02' N

46.5 ±

432

— 44 —

436 ±

22/04

4. The more we know

2. 7. 11

100

—

Creek

pub/st

Peach

Map of
Parker Plank Road lots

Property of

A. W. Van Winkle & Co.

East Rutherford and Carlstadt, N. J.

Scale: 1 in = 50 ft

February 1923

Map #1835 Filed on April 12, 1923

● L- 4, 5, 6

003504

This Indenture,

Made the 23rd day of February 1962
Between PATRICK MARONE

1962

RECEIVED
1967 FEB 27 PM 12:19
Alexander Allen
BERGEN COUNTY CLERK

residing at 50 Terhune Avenue
in the City of Passaic and State of New Jersey in the County of
Passaic
And SPARROW REALTY, INC., a New Jersey corporation,
having its principal place of business herein designated as the Grantors,

located at 60 Prince Street
in the City of Elizabeth and State of New Jersey in the County of
Union
herein designated as the Grantees;

Witnesseth, that the Grantors, for and in consideration of ONE DOLLAR (\$1.00)
AND OTHER GOOD AND VALUABLE CONSIDERATION,

Amount of
Doc. Rev.
Stamps

lawful money of the United States of America, to the Grantors in hand well and truly paid by the
Grantees, at or before the sealing and delivery of these presents, the receipt whereof is hereby acknowl-
edged, and the Grantors being therewith fully satisfied, do by these presents grant, bargain, sell and
convey unto the Grantees forever,

All those certain lots, tract or parcel of land and premises, situate, lying and being in the
Borough of Carlstadt in the
County of Bergen and State of New Jersey, more particularly described as follows:

BEGINNING at a point where the northeasterly side of Paterson Plank Road produced southeasterly would be intersected by the center line of New Jersey State Highway Route 20 produced northeasterly and from thence running (a) north 25 degrees 02 minutes 40 seconds west 1874.66 feet along said side of Paterson Plank Road thence (b) still along said side of Paterson Plank Road north 39 degrees west 801.21 feet to a division line between lands on the northwest now or formerly belonging to Sparrow Realty, Inc. and lands on the southeast now or formerly belonging to Pat Marone thence (c) north 44 degrees 02 minutes east along said division line 140.33 feet to the point or place of beginning of the tract herein being described and from thence running (1) north 44 degrees 02 minutes east and still along said division line 331.67 feet to Peach Island Creek thence (2) returning to the point or place of beginning of the tract herein being described and from thence running south 39 degrees east and parallel with Paterson Plank Road 129.2 feet to another division line between lands on the northwest now or formerly belonging to Pat Marone and lands on the southeast now or formerly belonging to Sparrow Realty, Inc. thence (3) north 44 degrees 02 minutes east along the said division line 347.67 feet to Peach Island Creek thence (4) northwesterly along Peach Island Creek to the end of the first course of the tract herein described.

BEING a portion of the same premises conveyed to Patrick Marone and Anna Marone, his wife (now deceased) by deed of Filomena Doss, also known as Palma Doss, also known as Palma Morrone and Patrick Marone, also known as Patrick Marrone and Anna Marone, his wife (now deceased), dated March 15, 1962, and recorded in the Office of the Bergen County Clerk on March 30, 1962, in Book 4345 at Page 229.

ception

BOOK 5018 PAGE 495 //

no REVENUE STAMPS

003505

20-5-TE27

HFA

abs

Form 64-68 1/73

Charge to Plaintiff
William F. Wyland
Attorney General of New Jersey
Attorney for Plaintiff
1625 Parkway Avenue
Trenton, New Jersey 08625
(609) 292-6120

35
RECORDING FEE \$ 9.15
PAID
8/2/74

DECLARATION OF TAKING

RECEIVED

1974 JUN 20 AM 11:16

Carol Hunter
BERGEN COUNTY CLERK

FILED

JUN 20 1974

Carol Hunter
BERGEN COUNTY CLERK
HACKENSACK, N.J.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION BERGEN COUNTY
Docket No. C-32639-73

STATE OF NEW JERSEY, By the
COMMISSIONER OF TRANSPORTATION,
Plaintiff,

vs.

Patrick Marone; et al,

JUN 20 1974

Defendants.

CIVIL ACTION

DECLARATION OF TAKING

28.052 9.35

9.35

Plaintiff, State of New Jersey, by the Commissioner of Transportation, hereby declares that:

1. Possession of the land and premises described in the complaint, filed herein, is hereby taken by and for the use of the Department of Transportation of the State of New Jersey.

2. The Department of Transportation of the State of New Jersey is entitled to the exclusive possession and use of the premises aforesaid and will forthwith enter into and take possession

BOOK 5908 PAGE 192

003506

of them pursuant to the provisions of Chapter 361 of the Laws of 1971, and N.J.S.A. 27:7-22, as amended and supplemented.

3. The premises hereby taken are described in Exhibits "A" and "B" annexed hereto.

4. The estate or interest taken is ^{an easement} ~~is/under easement~~ and such ~~conveyances~~ lesser estates, if any, as are set forth in the Exhibits "A" and "B" annexed hereto.

5. The sum of money estimated by the Department of Transportation of the State of New Jersey to be just compensation for the taking is \$ 350.00, which sum is deposited with the Clerk of the Superior Court.

6. The names and addresses of all condemnees known to the Department of Transportation and the nature of their alleged ^{are} interest in said property ~~are~~ as follows: The owner of record of the land and premises over and across which said easement is sought is Patrick Marone, widower, address, 50 Terhune Avenue, Passaic, New Jersey; other persons and corporations appearing of record to have an interest in the said land and premises, and persons and corporations who have or may claim to have an interest therein as are known to the plaintiff are: State of New Jersey, Department of Environmental Protection, Division of Marine Services, address, John Fitch Plaza, Trenton, New Jersey, which, by reason of whatever interest it may have by reason of its claim that premises in question are riparian lands, has or may claim to have an interest therein; Scientific Environmental Control Systems, Inc., a corporation of New Jersey, address, Agent, Dominick Presto, 18 Glen Road, Rutherford, New Jersey, which, by reason of being a tenant,

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003507

occupant or lessee on the said land and premises, has or may claim to have an interest therein; Inner Associates, Inc., a corporation of New Jersey, successor to Sparrow Realty Inc., a corporation of New Jersey, by merger and change of name on June 19, 1969, address, Agent, Robert J. Maagher, 1703 E. Second Street, Scotch Plains, New Jersey, which, by reason of an option to purchase granted to said Sparrow Realty Inc., from Patrick Marone, dated December 22, 1966, and recorded in the Office of the County Clerk of Bergen County April 8, 1974, in Book 5885 of Deeds, at Page 356, the said Inner Associates, Inc., has or may claim to have an interest therein; Borough of Carlstadt, in the County of Bergen, a municipal corporation of New Jersey, address, care of Frances Gomez, Clerk, 500 Madison Street, Carlstadt, New Jersey, which, by reason of certain taxes and assessments, duly levied and assessed, has or may claim to have an interest therein.

ALAN SAGNER
Commissioner of Transportation

By Clarence L. Hollowell
Clarence L. Hollowell
Acting Director of Right of Way,
Transportation

BOOK 5908 PAGE 194

003508

E-K

An easement in certain lands and premises, situate, lying and being in the Borough of Carlstadt, in the County of Bergen, and State of New Jersey, and which easement is particularly described as follows:

Parcel TE27, as indicated on a map entitled: "New Jersey Department Of Transportation, GENERAL PROPERTY PARCEL MAP, ROUTE 20, (1953) SECTION 5, Washington Street To Route 17, Showing Existing Right Of Way And Parcels To Be Acquired In The Boroughs Of Carlstadt And East Rutherford, County Of Bergen, Scale: As Indicated, December 1972"; and as shown more particularly on a map attached hereto, made a part hereof, marked "Exhibit B", entitled: "NEW JERSEY DEPARTMENT OF TRANSPORTATION, ROUTE 20 (1953) SECTION 5, WASHINGTON STREET TO ROUTE 17, PARCEL TE27, BOROUGH OF CARLSTADT, COUNTY OF BERGEN, SCALE: AS INDICATED, JANUARY 17, 1974";

Parcel TE27, consisting of the right at about Station 48+00 (Route 20 (1953) Base Line Stationing), to form and maintain slope for grading the said State Highway as far as the line marked "Slope E.W." on the aforesaid maps, including the right to topsoil, seed, plant trees, vines and shrubs and to maintain the same so as to stabilize the soil, prevent erosion and/or to improve the aesthetic aspects of the highway; PROVIDED, HOWEVER, that the slope easement may be annulled only after the State has been given sufficient notice to remove the aforementioned stabilizing and landscaping items and by furnishing and maintaining adequate support or protection for the highway so as to make the continuance of the slope right unnecessary;

Said easement being in lands also known as lots 18B and 20B in block 155 on the tax map of the Borough of Carlstadt;

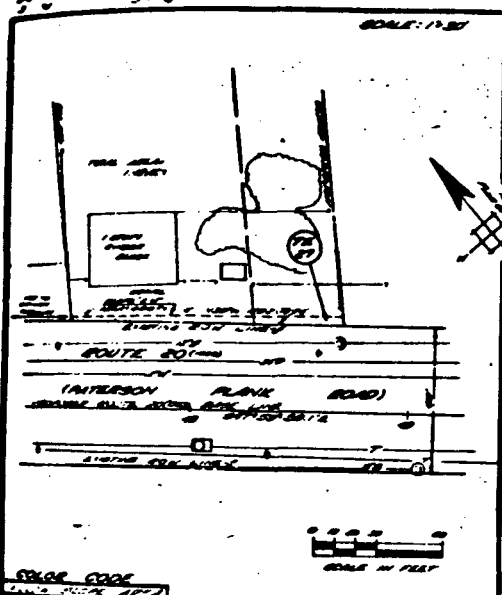
SUBJECT TO all public utility easements recorded or unrecorded affecting the herein described premises;

The above described premises are color coded on Exhibit "B" in the following manner: Yellow - Slope Area.

EXHIBIT A

5908 195

003539



ENTIRE TRACT
SCALE: 1"=200'



TE
27

PATRICK MARONE, WIDOWER
SLOPE AREA: 41935

SLOPE AREA = 819.95

EXHIBIT B

NEW JERSEY
DEPARTMENT OF TRANSPORTATION
ROUTE 20 ¹⁷⁰⁰ SECTION 5
WASHINGTON STREET TO ROUTE 17
PARCEL TE27
BOROUGH OF CARLSTADT COUNTY OF BERGEN
SCALE: AS INDICATED JANUARY 17, 1974

20-304

BOOK 5908 MAR 196

END OF DOCUMENT

(003510

Dept. of Law & Public Safety
Div. of Law - Environmental Protect Section
CN 112
Trenton, NJ 08625

Collect

RECORDING FEE \$ 24.00 *93*
SD 112 *Reed*

FILED

JUN 16 1983

RECEIVED

JUN 20 1983

DAVID W. REGER, D.A.G.

REGINALD STANTON
J.C.

Prepared by the Court.

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION: ESSEX COUNTY
DOCKET NO. C 1852-83E

STATE OF NEW JERSEY, DEPARTMENT OF
ENVIRONMENTAL PROTECTION,

Plaintiffs,

vs.

SCIENTIFIC CHEMICAL PROCESSING, INC.,
a corporation, et al.,

Defendants.

Civil Action

REVISED ORDER APPOINTING
COMMISSIONER OF DEPARTMENT OF
ENVIRONMENTAL PROTECTION AS
CUSTODIAN OF SITES AND
GRANTING OTHER RELIEF

Cross Jurisdiction Parties

This matter having been brought before the Court on Order to Show Cause by Irvin I. Kimmelman, Attorney General of New Jersey, Attorney for State of New Jersey, Department of Environmental Protection, Deputy Attorney General David W. Reger appearing and Harriet Sims Barvey, Esq. appearing on behalf of defendant Mack Barnes; and Edward J. Egan, Esq. appearing on behalf of defendants Inmar Associates, Inc. and Marvin Mahan, and Paul S. Barbire, Esq. appearing on behalf of defendants, Sigmond and Presto, a partnership and Dominick Presto individually; and Herbert G. Case and Leif R. Sigmond appearing pro se; and

It further appearing that the return date for the

JUN 29 83 DEPT- 51.755 .00 .00 .00

6762 PAGE 226

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JUN 29 2 56 PM '83

003512

Order to Show Cause filed with the Court on May 3, 1983 was set down for May 27, 1983; and

It further appearing that defendants, Scientific Chemical Processing, Inc. (SCP), Energall, Inc. (Energall) and Presto, Inc. (Presto) operated special waste facilities wherein chemical waste was reprocessed, treated, reclaimed and/or disposed of at 411 Wilson Avenue, City of Newark, Essex County, New Jersey (Newark site) and 216 Paterson Plank Road, Carlstadt, Bergen County, New Jersey (Carlstadt site); and

It further appearing that an administrative hearing captioned "In the Matter of Court Ordered Administrative Hearing on Scientific Chemical Processing, Energall, Inc. and Presto, Inc." was conducted in June and July 1979 regarding the operations of said corporations and the conditions which existed at the Newark and Carlstadt sites; and

It further appearing that on October 11, 1979 Administrative Law Judge Lewis P. Goldshore issued his report and recommended decision which was thereafter approved by the Commissioner of the Department of Environmental Protection (DEP) and affirmed by the Appellate Division; and

It further appearing based upon the aforesaid report and affidavits attached to the Complaint that perilous and dangerous conditions presently exist at both the Newark and Carlstadt sites which threaten the public health, safety and welfare; and

It further appearing that neither the owners, operators and/or directors of SCP, Energall and Presto, nor the land-owners of the Newark and Carlstadt sites have taken appropriate action to cleanup said sites and abate the danger which they pose; and

It further appearing that the Newark and Carlstadt sites must be cleaned up forthwith,

And the court having considered the Verified Complaint and affidavits attached thereto, plaintiff's Brief in Support of the Order to Show Cause, the papers submitted in opposition thereto, the arguments of counsel, and for good cause shown;

IT IS on this 16 day of June, 1983, ORDERED that:

1. The Administrative Law Judge's report and recommended decision "In the Matter of Court Ordered Administrative Hearing on Scientific Chemical Processing, Energall, Inc. and Presto, Inc." dated October 11, 1979, is and shall be binding on the parties in the within action.

2. With the exception of defendant Mahan, all defendants, including SCP, Energall, Presto, Sigmond, Case, Barnes and Dominick Presto, together with landowners Sigmond and Presto, partnership and its individual partners (Newark site) and Inmar Associates, Inc. (Carlstadt site) are responsible for cleanup of the sites which they were associated or connected with.

3. On July 7, 1983 the Court shall decide the issue of whether defendant Marvin Mahan is individually liable for cleanup of the Carlstadt site. The State shall submit a brief

in support of its position by June 22, 1983 and Mahan shall submit his reply brief by July 1, 1983.

4. The Commissioner of the Department of Environmental Protection is appointed custodian of the Newark and Carlstadt sites with responsibility for physical security of the sites, authority to exclude all persons from entry thereon and authority to take other measures which he deems necessary in connection with this responsibility. This appointment is effective as of May 27, 1983.

5. Each defendant, with the exception of Mahan, shall submit to the court and DEP by July 1, 1983 a comprehensive plan for cleanup of the site/sites which he was connected or associated with. All financial resources to be dedicated thereto shall clearly be set forth. More than one defendant may adopt a joint cleanup plan. The only basis to be excused from the provisions of this paragraph to the Order shall be by submission of a detailed financial plan showing that said defendant is incapable of contributing to or paying for cleanup.

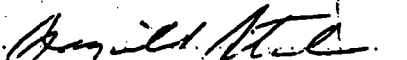
6. On Thursday, July 7, 1983, a hearing shall be held regarding the adequacy of the proposals submitted by the aforesaid defendants.

7. All defendants with the exception of Mahan shall have a lien impressed upon their real property within the State of New Jersey until further order of this Court. Further, said defendants shall not transfer or encumber said property without leave of the Court. In the event a need arises to transfer

assets, application may be made to the Court, on two day's notice, for leave to do so.

8. No additional parties, including generators, shall be added to this litigation. It is noted that the defendants have indicated that they would like to join additional parties. The Court is prohibiting such joinder because the Court believes that the need to have a rapid adjudication of matters relating to the cleanup of the premises is an imperative public interest which would be frustrated by joining additional parties. The entire controversy doctrine shall not bar defendants from seeking relief against other parties in future litigation.

9. This revised order replaces the order previously entered herein on June 3, 1983.


REGINALD STANTON, J.S.C.

The Court is mailing copies of this Order to all counsel of record. Mr. Reger shall make certain that copies of this Order are promptly mailed by his office to the defendants appearing pro se.

R. S., J.S.C.

6762-230

END OF DOCUMENT

003516

Anna

O R

3-15-62

Patrick Marrone

4-23-41 - 9-21-77

Filomena Ross(O)

" - 3-30-62

Palomina

" "

Rec'd 4345-229 ✓

6297-120 ✓

5018-445 Epc

5030-20 H.H.

4531-384 Kioni

5086-3 WT

5149-169 ✓

5154-225

5885-356

5908-192

Contract

consumables

by DP 5018-445

6296-86

✓

6297-120 Lamar Associates Inc 9-20-77 - 7-12-85

Rec'd 6762-226
44

CC3517